



N4# Sector
#3
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ivan Faul)	
)	
Serial No: 09/764,609)	Title: Surgery System
)	
Filed: January 17, 2001)	
)	
Group Art Unit: 3732)	

TRANSMITTAL OF EXECUTED DECLARATION

***Commissioner for Patents
Washington, D.C. 20231***

Attention: BOX MISSING PART

Sir:

Submitted herewith is an executed Declaration for filing in the above-identified application, in response to the Notice to File Missing Parts issued by the Patent and Trademark Office on April 27, 2001.

CERTIFICATE OF MAILING (37 CFR 1.8)

I hereby certify that this paper and the documents referred to as enclosed therewith are being deposited with the United States Postal Service as first class mail, postage prepaid, on May 25, 2001 in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.

Manisha C. Wulf

Manisha C. Wulf

Also enclosed is a copy of the Notice together with our check in the amount of \$130.00 in payment of the fee.

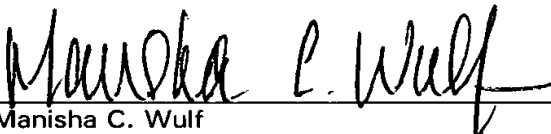
The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 13-2855. A copy of this request is enclosed.

Please refund any overpayment to Marshall, O'Toole, Gerstein, Murray & Borun at the address below.

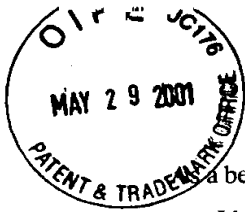
Respectfully submitted,

MARSHALL, O'TOOLE, GERSTEIN,
MURRAY & BORUN
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6402
(312) 474-6300

By:


Manisha C. Wulf
Reg. No: 41,665

May 25, 2001



DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY #3

I, a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "SURGERY SYSTEM," the specification of which was filed on January 17, 2001 as Application Serial No. 09/764,609. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

			Priority Claimed	
(Application Serial Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

(Application Serial Number)	(Day/Month/Year Filed)
US Prov 60/178,377	January 27, 2000

(Application Serial Number)	(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Fifth Joint Inventor, if any Peter Forst	Citizenship Germany
Residence Address - Street Dahlienweg 16	Post Office Address - Street Dahlienweg 16
City (Zip) Emmendingen (79312)	City (Zip) Emmendingen (79312)
State or Country Germany	State or Country Germany
Date <input checked="" type="checkbox"/> 5/8/01	Signature <input checked="" type="checkbox"/> Peter Forst

Sixth Joint Inventor, if any Ulrich Buehner	Citizenship Germany
Residence Address - Street Gartenstrasse 26	Post Office Address - Street Gartenstrasse 26
City (Zip) Freiburg (790098)	City (Zip) Freiburg (790098)
State or Country Germany	State or Country Germany
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/> Ulrich Buehner

Seventh Joint Inventor, if any Martin Stangenberg	Citizenship Germany
Residence Address - Street Waldstrasse 18b	Post Office Address - Street Waldstrasse 18b
City (Zip) Gundelfingen (D-79194)	City (Zip) Gundelfingen (D-79194)
State or Country Germany	State or Country Germany
Date <input checked="" type="checkbox"/> 05-08-01	Signature <input checked="" type="checkbox"/> M. Stangenberg

Eighth Joint Inventor, if any Jerry A. Culp	Citizenship USA
Residence Address - Street 351 Lodge Lane	Post Office Address - Street 351 Lodge Lane
City (Zip) Kalamazoo (49009)	City (Zip) Kalamazoo (49009)
State or Country Michigan	State or Country Michigan
Date <input checked="" type="checkbox"/> 4-19-01	Signature <input checked="" type="checkbox"/> JAC

Ninth Joint Inventor, if any Klaus Welte	Citizenship Germany
Residence Address - Street Kinzigtalblick 9	Post Office Address - Street Kinzigtalblick 9
City (Zip) Seelbach (77960)	City (Zip) Seelbach (77960)
State or Country Germany	State or Country Germany
Date <input checked="" type="checkbox"/>	Signature <input checked="" type="checkbox"/> Klaus Welte